

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

FREDERICK T. GARDINER, JR. Plaintiff,)	
)	
)	
v.)	C.A. No. 16-11120
)	
M/V RAMZABAR (O.N. 662443))	
her engines, boilers, tackle)	
and appurtenances, <i>in rem</i>)	
and)	
)	
MICHAEL P. ARCIDI, <i>in personam</i>)	
Defendants.)	
_____)	
)	
MICHAEL P. ARCIDI,)	
Plaintiff <i>in rem</i> and,)	
Plaintiff in Counterclaim,)	
v.)	
)	
M/V RAMZABAR (O.N. 662443))	
her engines, boilers, tackle)	
and appurtenances, <i>in rem</i>)	
)	
and)	
)	
FREDERICK T. GARDINER, JR.)	
<i>In personam,</i>)	
Defendants.)	

AMENDED JUDGMENT

In accordance with the agreement of the parties is hereby ordered and adjudged that:

This matter having been commenced on June 16, 2016 and Defendant RAMZABAR (ON 662443) was duly arrested on September 21, 2016, said arrest being duly published in the Boston Herald on October 12, 2016, in accordance with this Court's Order admonishing all persons with claim to the vessel to appear and file their answers to the complaint, and that the only party appearing to claim the vessel was Michael P. Arcidi. It is ordered that all persons who have not asserted claims in this action are defaulted.

The parties have resolved all outstanding issues, including claims for and opposition to the taxation of costs and value of improvements to the vessel, through the apportionment of costs as set forth below:

The parties shall bear their own costs and fees except as follow:

1. Michael P. Arcidi shall pay all costs of the substitute custodian up to the date the Substitute Custodian's bill has been paid after release of the vessel by the US Marshal.
2. Frederick T. Gardiner, Jr. shall pay all costs of the US Marshal other than the costs of the Substitute Custodian.
3. The parties shall cooperate and execute any necessary documents to achieve an expeditious conclusion of this matter in the U. S. District Court, an expeditious release of the vessel by the U.S. Marshal, and an expeditious release from the Substitute Custodian.

RAMZABAR is the property of Frederick T. Gardiner, Jr., free and clear of all liens, claims and encumbrances of any other person or party. Subject to number (1) above, Michael P. Arcidi is released from any further obligation related to the RAMZABAR or to Frederick T. Gardiner, Jr.

The Clerk is to issue a warrant to the US Marshal to deliver the RAMZABAR to Frederick T. Gardiner, Jr. forthwith.

It is SO ORDERED



George A. O'Toole
United States District Judge